

Remarks

Claims 14-33 are pending in this application.

Applicants respectfully request that the amended claim be entered in the application. Applicants have amended claim 20 to complete the claim which was inadvertently incomplete in the Preliminary Amendment. Applicants submit that the amendment to claim 20 is fully supported in the specification and claims as originally filed. Applicants invite the Examiner's attention to original claim 5.

Applicants herewith submit the Abstract which was not in the file at the Patent Office. The Abstract is on a separate page numbered 8 and is the 10th page of the Preliminary Amendment.

Applicants have requested a set of declarations in the English language. Applicants will forward these declarations to the Examiner when they are received from the Applicants.

Before discussing the rejection over the prior art, Applicants deem it prudent to set forth what they consider to be their invention. Applicants' invention is an aqueous dispersion for hydrophobic finishing of fibers and flat textiles. The aqueous dispersion comprises a mixture of at least two different copolymers (a and b) and an emulsifier in an aqueous medium. Copolymer (a) is a copolymer containing residues of esters of substituted or unsubstituted acrylic acid with branched or unbranched alkyl alcohols containing from 8 to 22 carbon atoms and residues of esters of substituted or unsubstituted acrylic acid with alkyl alcohols containing from 1 to 6 carbon atoms and a copolymer (b) which comprises residues of esters of substituted or unsubstituted acrylic acid with a perfluorinated alcohol and esters of a substituted or unsubstituted acrylic acid with an alcohol containing from 1 to 6 carbon atoms. The aqueous dispersion also contains an emulsifier (c).

The aqueous dispersion of the present invention is a mixture of two separate

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polymer dispersions, one of which polymer dispersions contains a polymer containing residues of an ester of a substituted or an unsubstituted acrylic acid with a perfluorinated alcohol and residues of a substituted or unsubstituted acrylic acid with a 1-6 carbon atom alcohol.

The second polymer in the polymer mixture comprises residues of the substituted or unsubstituted acrylic acid with a C1-6 carbon atom alcohol and residues of a substituted or unsubstituted acrylic acid with a C8-C22 carbon atom alcohol.

The two dispersions are formed independently then mixed to form the composition of the present invention.

Claims 14-19 and 21-23 stand rejected under 35 U.S.C. 102(b) as anticipated by Maekawa et al. (EP 1 146 103 A1). Applicants respectfully submit that Maekawa et al. neither teaches nor suggests the present invention.

Maekawa et al. is directed to an aqueous dispersion of a single polymer which contains residues of at least two monomers, one of which is substituted or non-substituted acrylic acid with a perfluorinated alcohol and residues of a monomer of an ester of a substituted or unsubstituted acrylic acid with a C1-22 alcohol. The composition also contains an emulsifier and is made by mixing the monomers with the surfactant and homogenizing the mixture with a pressure homogenization mechanism in carrying out the emulsion polymerization. Applicants respectfully submit that Maekawa et al. neither teaches nor suggests the present invention since it teaches that only one single polymer be present in the composition. However, if a second polymer is present in the composition, the polymer is not named and its properties would be unknown. Applicants therefore respectfully submit that Maekawa et al. neither teaches nor suggests the present invention.

Applicants submit that to be a reference under which a rejection under 35 U.S.C. 102(b) can be based, the reference must show each and every limitation in the claims. Applicants submit that Maekawa et al. fails as a reference on which a rejection under

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35 U.S.C. 102(b) can be based in that the composition must contain only a single polymer comprising residues of a substituted or unsubstituted acrylic acid ester of a perfluorinated alcohol and residues of a substituted or unsubstituted acrylic acid ester with a C1-22 alkyl alcohol. Applicants respectfully submit that Maekawa et al. would neither teach nor suggest the composition of the present invention which requires a mixture of two separate and distinct copolymers which copolymers have special features. Applicants therefore respectfully submit that a rejection under 35 U.S.C. 102(b) over Maekawa et al. is untenable and respectfully requests that the rejection be reconsidered and withdrawn.

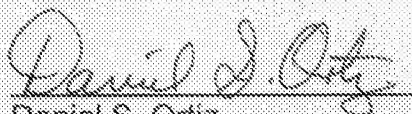
Applicants respectfully submit that the amendment to claim 20 overcomes the rejection under 35 U.S.C. 112.

In view of the amendments entered in the claims and the above discussion, Applicants respectfully submit that the application is in condition for allowance and favorable consideration is requested.

Respectfully submitted,

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